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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/631,121

07/31/2003

Edward C. Giaimo III

MICR0402

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01/13/2006

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EXAMINER

WIMER, MICHAEL C

ART UNIT

PAPER NUMBER

2828

DATE MAILED: 01/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/631,121

Applicant(s)

GIAIMO ET AL.

Examiner

Michael C. Wimer

Art Unit

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6,8,10-15,18-21 and 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuramoto (6816120).

Regarding Claims 1-6,8,10-15,18-21 and 24-27, Kuramoto shows in Fig. 2, an accessory 10 and method for increasing range and for use with an existing external antenna system 20-22, where the antenna 20 is part of the external antenna system and disposed with a support 22 coupled to a wireless device (see Fig. 9, where the entire assembly 1 is clearly disposed upon the wireless device beneath the support). It would have been obvious to the skilled artisan that the accessory and the support base 22 is mounted on and physically supported by the wireless device (unnumbered in Fig. 9), as is now claimed.

Since the coax and connector, 2,3 projecting from the base 22 is to be connected to the wireless device, a skilled artisan would have found it to be obvious that the wireless device is within the unnumbered structure in Fig. 9, supporting the entire external antenna system. The accessory 10 has conductive material 12, curved and straight (Figures 7 and 11) disposed thereon and all arranged for the purpose recited. The device is deemed to be clipped or bracketed to the existing

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antenna. The reflector 12 produces a directional antenna pattern and extends the range of the signal in the desired direction.

3. Claims 7,9,16,17,22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuramoto (6816120) as applied to claims 1,6,11 and 19 above, and further in view of Johnson (6208300).

Regarding Claims 7,9,16,17,22 and 23, no director clipped to the support is taught in the primary reference device. Thus, Johnson is cited as resolving the level of ordinary skill in the antenna art and as evidence of obviousness and shows a director element 30 clipped, via 32, to the existing antenna 26 of a communication device 10. It would have been obvious to the skilled artisan to employ such a director along with the reflector in Kuramoto for the purpose of providing further gain to the system. The arrangement shown is coupled to a vertical surface as recited. Additionally, a skilled artisan would have found it obvious to provide any support for antennas to be connected to any surface mounting.

Response to Arguments

4. Applicant's arguments filed 10/26/2005 have been fully considered but they are not persuasive. Specifically, although the same primary reference is employed, an obviousness rejection has been applied to the claims and an explanation of how the elements, now claimed read on the reference device and evidence of obviousness has been set forth as shown above in the rejections. The reading of the external antenna having a base mounted upon the wireless device is shown to be a matter of choice and

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implied by Kuramoto because in Figure 9 thereof, the external antenna along with the reflector accessory is mounted upon an unnumbered support which is considered by those skilled in the antenna art to be the wireless device, such as a wireless router which is essential to the LAN. Since the structure now recited in the claims is either explicitly shown or implied and shown to be obvious, then the claims at hand are not patentably distinct over the prior art of record. The rejections stand.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Wimer whose telephone number is (571) 272-1833. The examiner can normally be reached on M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Minsun O. Harvey can be reached on (571) 272-1835. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Michael C. Wimer", is positioned above the printed name and title.

Michael C. Wimer
Primary Examiner
Art Unit 2828

MCW
01/03/2006